

JONATHAN O. PENA, ESQ.  
CA Bar ID No. 278044  
Peña & Bromberg, PLC  
2440 Tulare St., Suite 320  
Fresno, CA 93721  
Telephone: 559-412-5390  
Fax: 866-282-6709  
info@jonathanpena.com  
Attorney for Plaintiff

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

ERIC WILLIAM CARVER,  
Plaintiff,  
v.

KILOLO KIJAKAZI<sup>1</sup>,  
Acting Commissioner of Social  
Security,  
Defendant.

Case No. 1:20-CV-00565-SKO  
STIPULATION AND ORDER FOR  
EXTENSION OF TIME  
(Doc. 20)

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 4-day extension of time, from August 9, 2021 to August 13, 2021, for Plaintiff to serve on defendant with PLAINTIFF'S OPENING BRIEF . All other dates in the Court's Scheduling Order shall be extended accordingly.

<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi is substituted for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 This is Plaintiff's second request for an extension of time. Plaintiff  
2 respectfully states that the requested extension is necessary due several merit briefs  
3 being due on the same week. Counsel has due on other cases a Motion for  
4 Summary Judgement, an Opening Brief, and Plaintiff's Portion of Joint  
5 Submission due. Counsel requires additional time to brief the issues thoroughly  
6 for the Court's consideration. Defendant does not oppose the requested extension.  
7 Counsel apologizes to the Defendant and Court for any inconvenience this may  
8 cause.

9  
10 Respectfully submitted,

11 Dated: August 9, 2021

PENA & BROMBERG, ATTORNEYS AT LAW

12  
13 By: /s/ Jonathan Omar Pena  
14 JONATHAN OMAR PENA  
15 Attorneys for Plaintiff

16  
17 Dated: August 9, 2021

18 PHILLIP A. TALBERT  
19 Acting United States Attorney  
20 DEBORAH LEE STACHEL  
21 Regional Chief Counsel, Region IX  
22 Social Security Administration

23 By: \*/s/ Marcelo N. Illarmo  
24 Marcelo N. Illarmo  
25 Special Assistant United States Attorney  
26 Attorneys for Defendant  
27 (\*As authorized by email on August 9, 2021)  
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**ORDER**

The Court is in receipt of Plaintiff's "Stipulation for Extension of Time." (Doc. 20.) Pursuant to the parties' first "Stipulation for Extension of Time" (Doc. 19), Plaintiff's Opening Brief was due on August 9, 2021, the same day on which Plaintiff filed the present second request for extension.

Requests for extension are governed by Rule 144 of the Local Rules of the United States District Court, Eastern District of California ("Local Rules"). Local Rule 144(d) explains that "[r]equests for Court-approved extensions brought on the required filing date for the pleading or other document are looked upon with disfavor." The parties are hereby ADMONISHED that any future requests for extensions of time shall be brought in advance of the required filing date and be supported by good cause under Fed. R. Civ. P. 16(b)(4). However, given counsel's representations that he has several merits briefs due this week (*see* Doc. 20 at 1), and the fact that Defendant consents to the request, the Court GRANTS the request for an extension.

Accordingly, IT IS HEREBY ORDERED that Plaintiff shall have an extension, up to and including August 13, 2021, to file his opening brief. All other dates in the Scheduling Order (Doc. 16) shall be extended accordingly.

IT IS SO ORDERED.

Dated: August 10, 2021

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE